

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>701826-056880</b> U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/533544</b>
INTERNATIONAL APPLICATION NO. <b>PCT/CA2003/001690</b>	INTERNATIONAL FILING DATE <b>31 October 2003 (31.10.2003)</b>	PRIORITY DATE CLAIMED <b>01 November 2002 (1.11.2002)</b>
TITLE OF INVENTION <b>MICELLE COMPOSITIONS CONTAINING PEGYLATED PHOSPHOLIPIDS AND A PHOTSENSITIZER</b>		
APPLICANT(S) FOR DO/EO/US <b>MIRADOR DNA DESIGN INC; SEVIGNY, Pierre and BIELEFELD-SEVIGNY, Martina</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). Items 11 to 20 below concern document(s) or information included: 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: <small>WO 2004/039351 A1 - Coversheet; Copy IB 308; Letter to Examiner - Amendments to Claims; Clean Copy of Claims; Marked Copy of Claim Amendments; Copy - PCT/ISA/210 &amp; Annexes; References A1-A2 &amp; B1-B4; Express Mail Certificate EV 653000573 US; Return Receipt Postcard.</small>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/533544</b>		INTERNATIONAL APPLICATION NO. PCT/CA2003/001690		ATTORNEY'S DOCKET NUMBER 701826-056880	
The following fees have been submitted				<b>CALCULATIONS      PTO USE ONLY</b>	
21. <input checked="" type="checkbox"/> Basic national fee..... \$300				\$ 300.00	
22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... \$100 All other situations..... \$200				\$ 200.00	
23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared and provided to the Office..... \$400 All other situations..... \$500				\$ 400.00	
<b>TOTAL OF 21, 22 and 23 =</b>				\$ 900.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
25 - 100 =	-75 /50 =		x \$250	\$ 0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$ 130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	15 - 20 =	0	x \$ 50	\$ 0.00	
Independent claims	3 - 3 =	0	x \$200	\$ 0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$ 360.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 1,390.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				695.00	
<b>SUBTOTAL =</b>				\$ 695.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$ 0.00	
<b>TOTAL NATIONAL FEE =</b>				\$ 695.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ 0.00	
<b>TOTAL FEES ENCLOSED =</b>				\$ 695.00	
				Amount to be refunded:	\$
				Amount to be charged:	\$
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>50-0850</u> in the amount of \$ <u>695.00</u> to cover the above fees. <del>A duplicate copy of this sheet is enclosed.</del> c. <input type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. _____. A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO: David S. Resnick NIXON PEABODY LLP 100 Summer Street Boston, MA 02110-2131 US					
				 SIGNATURE David S. Resnick NAME 34,235 REGISTRATION NUMBER	

## IN THE UNITED STATES RECEIVING OFFICE

International Application Number	International Filing Date	International Earliest Priority Date
PCT/CA2003/001690	31 October 2003 31.10.03	01 November 2002 01.11.02

TITLE OF INVENTION: MICELLE COMPOSITIONS CONTAINING PEGYLATED PHOSPHOLIPIDS AND A PHOTSENSITIZER

APPLICANT FOR DO/US: MIRADOR DNA DESIGN INC; SEVIGNY, Pierre;  
BIELEFELD-SEVIGNY, Martina

INVENTORS FOR DO/US: SEVIGNY, Pierre; BIELEFELD-SEVIGNY, Martina

U.S. SERIAL NO.: TO BE ASSIGNED

VERIFIED CERTIFICATION OF EXPRESS MAILING DATE  
(INTERNATIONAL APPLICATION (37 C.F.R. section 1.10(c))

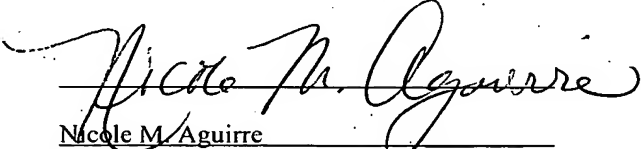
I declare that, on May 2, 2005, I deposited, with the United States Postal Service, in an envelope "Express Mail, Post Office to Addressee," bearing Label Number EV 653000573 US, addressed to the "MAIL STOP PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450," and having an express mail certification that I executed, the following papers:

1. Transmittal Letter to the U.S. Receiving Office Concerning a Filing Under 35 U.S.C. 371 (2 pp.);
2. Preliminary Amendment (3 pp.);
3. Letter to Examiner – Copy of Amendments to Claims (1 pg);
4. Copy – Marked Amended Set of Claims (2 pp.);
5. Copy – Clean Set of Claims (2 pp.)
6. Form PCT/IB/308 (1 pg.);
7. Published PCT WO 2004/039354 A1 – First Page (1 pg.);
8. Information Disclosure Statement (2 pp.);
9. Form 1449 (1 pg.);
10. References A1-A2 & B1-B4;
11. International Search Report - Form PCT/ISA 210 & Annexes (6 pp.);
12. Return Receipt Postcard.

A copy of these papers from the file of this application is attached.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application of any patent issuing thereon.

Date: 5/2, 2005

  
Nicole M. Aguirre  
(type or print name of person certifying)

10/533544

JC14 Re PCT/PTO 02 MAY 2005

Practitioner's Docket No. 701826-056880

PATENT

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INVENTORS FOR DO/US: SEVIGNY, Pierre; BIELEFELD-SEVIGNY, Martina

U.S. SERIAL NO.: TO BE ASSIGNED

## CERTIFICATE OF MAILING

I hereby certify that this correspondence, on the date shown below, is being  
deposited with the United States Postal Service with sufficient postage as Express  
Mail Label No. EV 653000573 US in an envelope addressed to MAIL STOP PCT,  
Commissioner of Patents, Box 1450, Alexandria,  
VA 22313-1450.

Date: 5/2/05

Nicole M. Aguirre

MAIL STOP PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450


LETTER TO EXAMINER - COPY OF AMENDMENTS TO CLAIMS

Attached hereto in conjunction with the 371 US National Entry of the above-  
referenced international application please find a clean copy as well as a marked copy of the  
amended claims as filed on October 26, 2004, which have not yet been communicated by the  
International Bureau.

Date: 5/4/05

Customer No. 50828

Respectfully submitted,

  
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100 Summer Street  
Boston, MA 02110-2131  
(617) 345-6057